

REMARKS

Applicants submit the present communication in response the Final Office Action issued on March 30, 2009 and an Advisory Action issued on August 10, 2009. While Applicants submit that the present communication is fully responsive to the Office Action, Applicants do not acquiesce to any portion of the Office Action not particularly addressed. Favorable reconsideration and allowance of the application is respectfully requested.

In the Final Office Action, the Examiner indicated that claims 5, 12, 16 and 33 are pending, and are rejected for the reasons set forth below. As set forth above in the amendment to the claims, Applicants amend claims 5, 16 and 33 along with adding new claims 34-37. Support for the amendment of the claims may be found throughout the present application's specification, drawings and originally-filed claims, including, for example, page 34, second paragraph. The Applicants submit that no new matter has been added by way of the amendment to the claims.

Claim Rejections - 35 U.S.C. §103

The Examiner maintained the rejection of claims 5 and 16 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,850,457 ("Gefvert") in view of U.S. Patent No. 6,118,876 ("Ruzicka"), U.S. Patent No. 5,589,718 ("Lee"), U.S. Patent No. 5,470,253 to Siems et al. ("Siems"), U.S. Patent No. 3,824,524 ("Glover") and Applicant's Admitted Prior Art ("AAPA") of Figs. 12-14. The Examiner also maintained the rejection of claim 33 under 35 U.S.C. 103(a) as being unpatentable over *Gefvert* in view of AAPA.

Applicants respectfully wish to remind the Examiner that the failure of an asserted combination to teach or suggest each and every feature of a claim remains fatal to an obviousness rejection under 35 U.S.C. §103. See *Ex Parte Wada and Murphy*,

BPAI Appeal No. 2007-3733, at p. 8. (January 14, 2008) (emphasis added). Applicants respectfully disagree with the position of the Examiner in that, at a minimum, none of the cited references disclose, teach or suggest the claimed combination of elements:

"in which the front left audio signal output terminal is arranged to the right of both of the front right audio signal output terminal and the rear right audio signal output terminal on the back panel as viewed when facing the rear portion of the electronic apparatus, and the rear left audio signal output terminal is arranged to the right of both of the front right audio signal output terminal and the rear right audio signal output terminal on the back panel as viewed when facing the rear portion of the electronic apparatus," (Emphasis added.)

And for the reasons set forth in Applicants' Response dated June 29, 2009, the cited combination of reference fails to render each of the claims 5, 12, 16 and 33 obvious. Further, Applicants submit that the Examiner's statement:

"[t]o the extent that Gefvert does not teach the output terminal corresponding to the positions of the speakers as view from the rear portion of the electronic apparatus, **it would have been obvious at the time the invention was made to arrange** the position of the output terminal to correspond to the position of the speakers (left and right side) as viewwd from the rear of the apparatus, as taught by AAPA, in order to reduce wire tangling"

not only uses hindsight (as the AAPA does not teach arranging the output terminals as claim for the purpose of reducing wire tangling), but also fails to place on the record any **evidence** showing such arrangement would have been obvious. Rather, this statement, contrary to well established precedent, merely relies on the Examiner's speculation of common knowledge. See *In re Sang-Su Lee*, 277 F.3d 1338 (Fed. Cir. 2002) (stating "[t]his court has remarked, in Smiths Industries Medical Systems, Inc. v. Vital Signs, Inc., 183 F.3d 1347, 1356, 51 USPQ2d 1415, 1421 (Fed. Cir. 1999), that [the] reference to common knowledge "does

not in and of itself make it so" absent evidence of such knowledge."). Accordingly, Applicant respectfully request that the Examiner indicate of the record the source or reference for supporting the rejection.

In an effort to expedite prosecution in this application, Applicants amend each of the independent claims 5, 16 and 13 to include additional elements not shown, taught or suggested in the cited combination of references. For example, amended independent claim 5 now recites in part the following:

"each of said socket connectors is distinguished by one of a plurality of distinctive mating structures, each of said plug connectors is distinguished by one of a plurality of distinctive mating structures, and said mating structures of said socket and plug connectors are adapted to allow mating *only* between said socket and plug connectors that correspond to the same channel of said plurality of channels" (emphasis added).

Applicants note that, with respect to the rejection of the previously-presented claim 5, the Examiner relied on Gefvert as modified by Glover to disclose, teach and/or suggest the claimed sockets and plugs. Applicants submit that Gefvert, Glover and any of the other cited references, alone or combined, disclose, teach or suggest the claimed elements quoted above. Accordingly, Applicants submit that the amended independent claim 5 is patentably distinguishable over the relied on combination of references.

For reasons similar to those previously described with regard to claim 5, it is also respectfully submitted that amended independent claims 16 and 33 along with new independent claim 34 are also distinguishable from the applied combination of references.

Claims 12 and 35-37 are dependent from one of independent claims 5 and 34. Accordingly, it is also respectfully submitted that dependent claims 12 and 35-37 are distinguishable from the


applied combination of references for at least the reasons previously described.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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